

REMARKS

Claims 1, 3-5, 10, 19, 22, 24-25, 27-28, 31, 33, and 35 were rejected under 35 U.S.C. §102(b) as being unpatentable over U.S. Patent Application Publication US 2001/0025245 to Flickinger et al. ("Flickinger") in view of U.S. Patent Application Publication US 2003/0061104 to Thomson et al. ("Thomson").

Claims 11, 29-30, and 32 were rejected under 35 U.S.C. §103(a) as being unpatentable over Flickinger in view of Thomson and further in view of U.S. Patent Application Publication US 2001/0034609 to Dovolis ("Dovolis").

Claim 26 was rejected under 35 U.S.C. §103(a) as being unpatentable over Flickinger in view of Thomson, and further in view of U.S. Patent 6,069,941 to Byrd et al. ("Byrd").

Claims 2, 6-9, 15, and 20-21 were previously canceled.

Claims 12-14 and 16-18 were previously withdrawn by the Examiner.

Claim 36 was previously added.

Claims 1, 3-5, 10, 11, 19, and 22-36 remain pending.

Rejection of Claims 1, 3-5, 10, 19, 22, 24-25, 27-28, 31, 33, and 35 under 35 U.S.C. Section 102(b)

With respect to independent claims 1, 19, 31, and 33, the Office Action states that Flickinger discloses all of the recited elements except that the customer information is transmitted to the server of the manufacturer to allow the customer to verify and update the product registration information the customer information, and completing a product registration of the one or more products when the customer verifies and updates the product registration information and the customer information, which Thomson allegedly teaches (at paragraph 53).

Page 11 of 19

G:\lbm\105\14031\amend\14031.am6.doc

Further, with respect to independent claims 19, 31, and 33, the Office Action states that Thomson teaches automatic registration of a warranty at the point of sale or through the activation of a cash card magnetically encoded with product information at an automated teller machine, on the internet, or by phone and the ability to acquire point-of-sale information via the internet (at paragraph 17).

Independent claim 1 has been amended to point out more clearly what Applicants' regard as the invention. Specifically, amended independent claim 1 recites a computer-implemented method for automating product registration. The method includes receiving at a time a customer purchases one or more products from a seller, and via a communication network, product registration information and associated customer information at a server associated with a manufacturer. The product registration information is associated with the one or more products that are manufactured by the manufacturer, and purchased by the customer, from the seller. The customer information is associated with the customer and is acquired at the time the customer purchases the one or more products. The method further includes generating at least one web page using the product registration information and the customer information transmitted to the server of the manufacturer at the time the customer purchases the one or more products to allow the customer to verify and update the product registration information and the customer information. The method still further includes completing at the time the customer purchases the one or more products a product registration of the one or more products when the customer verifies and updates the product registration information and the customer information, thereby completing the purchase and registration in one transaction. Support for the claim amendments can be found at least on page 12, line 18 to page 13, line 2 of the originally filed specification.

Flickinger teaches an automatic asset registration process that uses an electronic file called an E-registrar. The electronic file, which can be stored on a hard drive or in a smart card, for example, contains data specific to the purchaser (par. 0021, 0023). During an on-line purchase, the purchaser can register an asset being purchased by activating the E-registrar. When the E-registrar is activated, the purchaser-specific data is sent from the seller to a registration database (par. 0023). The technique allows automatic registration of a product or service (par. 0033). Flickinger also teaches that the user can perform an on-line registration by inputting the E-registrar into an on-line registration form (par. 0041 and 0042). Further, an asset purchased from a conventional retailer can also be registered by swiping a smart card to obtain the E-registrar data, which is, in turn, provided to a credit card company (par. 0028).

Further, Flickinger teaches that the product registration is completed once the E-registrar information is provided to the on-line retailer or credit card company. There is no opportunity for the customer to verify the product registration information and the customer information. Further, there no mention of verifying, or a verification feature anywhere in Flickinger. However, this feature is taught in Applicants' Fig. 8, for example. Specifically, a product registration web page allows the customer to verify and update/modify product registration information if errors exist in the product registration information or if one or more of the products are gifts (specification, page 13, lines 6-10). If the purchased product is a gift, the product should be registered to the person who received the gift, not the person who purchased it. This feature is recited in claim 11, for example, and also not taught by Flickinger.

Moreover, the only update feature taught in Flickinger (see paragraphs 0020, 0021, and 0062) must be initiated by the customer. The customer must choose to log in to the manufacturer's website and edit his/her information. This update feature is in no way linked to

the completion of the registration process. In contrast, Applicants' invention provides an update opportunity during the verification stage of the registration process. (See Fig. 6; page 11, line 28 to page 12, line 6; and page 13, lines 8-13).

Thomson teaches a method for warranty support for purchased products by an electronic warranty administrator that maintains a plurality of databases. A first database identifies customers, either individuals or corporate entities having warranted products. A second database identifies the manufacturers of those products. The warranty administrator coordinates between the customer, the manufacturer, and a service provider to provide warranty repairs. Unlike conventional extended warranties offered by third parties, the manufacturer remains in the repair process and thereby gains valuable information about the long term satisfaction of the customers. The warranty administrator also provides the manufacturer with a means to contact the customer about other products, product recalls, and affinity programs thereby promoting brand loyalty.

Applicants respectfully submit that the passages cited by the Examiner at paragraphs 53 and 17 have been misinterpreted. The passages cited at paragraph 53 read as follows, "The electronic warranty administrator then sends the purchaser a welcoming email that includes the warranty administrator's URL (which will enable the customer to access the warranty administrator's home page, as displayed in FIG. 17), plus login instructions and a password which will enable the customer to access their personalized home page (FIG. 3). The customer is also asked to verify the accuracy of the customer profile in possession of the electronic warranty administrator and to up-date or correct as needed [Emphasis Added]."

The cited passages clearly indicate that the warranty administrator sends an email at some time after the purchase has been completed. Further, the buyer is asked to verify their customer

profile also after the purchase has been completed. Verifying the customer profile is optional and not a requirement to complete the purchase.

In contrast, Applicants' invention, recites that product registration information is collected at the time of purchase. The buyer is then immediately presented with a web page for the purpose of verifying and updating (if necessary) the registration and customer information and thereby completing the product registration process. The entire purchase and registration occurs in one transaction, unlike Thomson, which clearly teaches three transactions, i.e., purchase, return email, and optional verification.

With respect to the passages cited at paragraph 17, the subject matter disclosed is more clearly described in the passages at paragraph 120. These passages read as follows, "In an alternative embodiment, FIG. 19 illustrates in flow chart format a system for product registration through the use of an unactivated pre-paid cash card that is encoded with product data and included with a warrantable product through the use of an ATM machine. A customer purchases a warrantable product with an unactivated pre-paid cash card encoded with product data including without limitation: description of item, manufacturer, model number, and serial number, from retailer. Cash card is inserted into an ATM. Cash card serial number and customer data as a non-exclusive list including without limitation: customer name, billing address, method of payment, account number, payment method identifier, date of purchase, invoice number, e-mail address, telephone number is transmitted electronically to warranty administrator for registration of product and activation of cash card."

The above passages, which more clearly explain the passages cited by the Examiner, indicate that a purchased product must include a corresponding unactivated pre-paid cash card encoded with the purchased product registration information. Further, while not explicitly stated,

it can be inferred that the card must be encoded by retailer with the customer's information. The customer must then take the step of putting the card into an ATM to register the purchased product.

In contrast, Applicants' invention does not require such a pre-paid cash card that is linked to a particular product. Further, the purchased product registration information and customer information are transmitted to the manufacturer at the time of purchase directly from the seller. The buyer is not required to take the additional steps of buying a pre-paid cash card, providing customer information for encoding on the card, and then later inserting the unactivated pre-paid cash card into an automated teller to register the purchased product.

In view of the foregoing, it is respectfully submitted that Flickinger and Thomson, whether taken alone or in combination, do not teach or suggest the subject matter recited in claim 1. Specifically each of these references fails to teach or suggest a computer-implemented method for automating product registration. The method includes receiving at a time a customer purchases one or more products from a seller, and via a communication network, product registration information and associated customer information at a server associated with a manufacturer. The product registration information is associated with the one or more products that are manufactured by the manufacturer, and purchased by the customer, from the seller. The customer information is associated with the customer and is acquired at the time the customer purchases the one or more products. The method further includes generating at least one web page using the product registration information and the customer information transmitted to the server of the manufacturer at the time the customer purchases the one or more products to allow the customer to verify and update the product registration information and the customer information. The method still further includes completing at the time the customer purchases the

one or more products a product registration of the one or more products when the customer verifies and updates the product registration information and the customer information, thereby completing the purchase and registration in one transaction.

Independent claims 19, 31, and 33 have been amended to recite similar features as independent claim 1, and therefore are patentably distinct over Flickinger and Thomson for at least the reasons discussed in connection with amended independent claim 1.

Claims 3-5, 10, 22-25, 27, 28, and 34-35, which depend directly or indirectly from the independent claims 1, 19, 31, and 33, incorporate all of the limitations of the corresponding independent claim and are therefore patentably distinct over Flickinger and Thomson for at least those reasons provided for claims 1, 19, 31, and 33.

Rejection of Claims 11, 29-30, and 32 under 35 U.S.C. Section 103(a)

Flickinger and Thompson have been previously discussed and do not teach or suggest the invention recited in the independent claims 1, 19, and 31.

Dovolis teaches an asset managing system that provides an asset transfer feature that allows a consumer to transfer warranty information when an asset is also transferred some time after the asset is purchased (par. 0064 and 0065). In particular, at paragraph 0065, Dovolis states: "However, when assets are transferred (i.e. given as gifts, sold, transferred as part of the sale of a home, etc.), the warranty information should be transferred as well." Thus, the giving of a gift is not separately recognized, and the customer consequently does not have the ability to indicate that a product is a gift to a donee. Such information could be important for marketing purposes, for instance.

Further, because Flickinger and Thompson do not teach or suggest the subject matter

Page 17 of 19

G:\bm\105\14031\amend\14031.am6.doc

recited in independent claims 1, 19, and 31 and because Dovolis does not teach or suggest the elements of claims 1, 19, and 31 that Flickinger and Thompson are missing, Dovolis is irrelevant.

In view of the foregoing, it is respectfully submitted that Flickinger, Thomson, and Dovolis, whether taken alone or in combination, do not teach or suggest the subject matter recited in claim 1, 19, and 31.

Claims 11, 29, 30, and 32, which depend directly or indirectly from the independent claims 1, 19, and 31, incorporate all of the limitations of the corresponding independent claim and are therefore patentably distinct over Flickinger, Thomson, and Dovolis for at least those reasons provided for claims 1, 19, and 31.

Rejection of Claim 26 under 35 U.S.C. Section 103(a)

Flickinger and Thomson have been previously discussed and do not teach or suggest the invention recited in the independent claim 19.

Byrd is concerned with a different technical problem than that addressed by Flickinger. In particular, Byrd teaches a method for controlling subscriber access to a fee-based service such as telephone support for computer software (col. 1, lines 11-16). Byrd therefore is not concerned whatsoever with the automatic asset registration scheme of Flickinger, which uses an E-registrar data file to register assets. Regarding the Examiner's assertion that the proposed combination is motivated by the desire to provide consumers an alternative option to contact the manufacturer's server, this motivation is not based on any disclosure in the references themselves and is therefore improper. Moreover, the system taught by Flickinger relies on a data file for automating registration and is therefore incompatible with a voice response unit that facilitates the completion of a product registration by telephone.

Further, because Flickinger and Thompson do not teach or suggest the subject matter recited in independent claim 19, and because Byrd does not teach or suggest the elements of claim 19 that Flickinger and Thompson are missing, Byrd is irrelevant.


In view of the foregoing, it is respectfully submitted that Flickinger, Thomson, and Byrd, whether taken alone or in combination, do not teach or suggest the subject matter recited in claim 19.

Claim 26, which depends directly from the independent claim 19, incorporates all of the limitations of the independent claim 19 and is therefore patentably distinct over Flickinger, Thomson, and Byrd for at least those reasons provided for claim 19.

Conclusion

While consideration of this amendment and response is not a matter of right, this amendment and response serves to clarify an aspect of Applicants' invention that is inherent in the claims. Therefore, Applicants respectfully request entry of this amendment and response, withdrawal of all rejections, and allowance of all pending claims in due course.

Respectfully submitted,



Steven Fischman
Registration No. 34,594

SCULLY, SCOTT, MURPHY & PRESSER, P.C.
400 Garden City Plaza, Suite 300
Garden City, New York 11530
(516) 742-4343

SF/BMM:ej